

S/N 10/669,170



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Bruce H. KenKnight et al. Examiner: Unknown  
Serial No.: 10/669,170 Group Art Unit: 3737  
Filed: September 23, 2003 Docket: 279.565US1  
Title: DEMAND-BASED CARDIAC FUNCTION THERAPY

---

**INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Several of the attached documents were discovered as a result of a Search Report in Applicants' corresponding foreign patent application. Enclosed for the Examiner's information is a copy of the Search Report.

Pursuant to 37 C.F.R. § 1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

BRUCE H. KENKNIGHT ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6912

Date

April 15, 2005

By

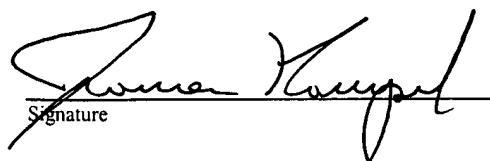
  
Timothy E. Bianchi  
Reg. No. 39,610

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15<sup>th</sup> day of April, 2005.

Name

  
James Kavysik

Signature

  
Bruce H. KenKnight

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <small>(use as many sheets as necessary)</small>		Complete if Known <b>Application Number</b> 10/669,170 <b>Filing Date</b> September 23, 2003 <b>First Named Inventor</b> KenKnight, Bruce <b>Group Art Unit</b> 3737 <b>Examiner Name</b> Unknown	
<small>APR 18 2005 C10 PATENT &amp; TRADEMARK OFFICE Sheets 1 of 1</small>		Attorney Docket No: 279.565US1	

### US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-2002/0058877 A1	05/16/2002	Baumann, L. S., et al.	10/25/2001
	US-2002/0107552 A1	08/08/2002	Krig, D. B., et al.	11/13/2001
	US-2002/0107553 A1	08/08/2002	Hill, M. R., et al.	10/26/2001
	US-2002/0123768 A1	09/05/2002	Gilkerson, J. O.	12/18/2001
	US-2002/0123769 A1	09/05/2002	Panken, Eric J., et al.	12/14/2000
	US-2002/0143369 A1	10/03/2002	Hill, M. R., et al.	10/26/2001
	US-2002/0161410 A1	10/31/2002	Kramer, A. P., et al.	04/27/2001
	US-2002/0165586 A1	11/07/2002	Hill, M. R., et al.	10/26/2001
	US-2003/0003052 A1	01/02/2003	Hampton, Thomas G.	06/19/2002
	US-2003/0004549 A1	01/02/2003	Hill, Michael R., et al.	10/26/2001
	US-2003/0045909 A1	03/06/2003	Gross, Yossi , et al.	07/24/2002
	US-2003/0060857 A1	03/27/2003	Perrson, Bruce J., et al.	09/26/2001
	US-2003/0069609 A1	04/10/2003	Thompson, D L.	10/09/2001

---

EXAMINER

DATE CONSIDERED

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		<i>Complete if Known</i> <b>Application Number</b> 10/669,170 <b>Filing Date</b> September 23, 2003 <b>First Named Inventor</b> KenKnight, Bruce <b>Group Art Unit</b> 3737 <b>Examiner Name</b> Unknown	
Sheet 2 of 7		Attorney Docket No: 279.565US1	

US-2003/0078623 A1	04/24/2003	Weinberg, Lisa P., et al.	10/22/2001
US-2003/0100924 A1	05/29/2003	Foreman, Robert D., et al.	04/22/2002
US-2003/0105493 A1	06/05/2003	Salo, R. W., et al.	12/05/2001
US-2003/0114889 A1	06/19/2003	Huvelle, E. , et al.	02/06/2003
US-2003/0135126 A1	07/17/2003	Kuo, T. B.	01/15/2002
US-2003/0149450 A1	08/07/2003	Mayberg, Marc R.	02/03/2003
US-2003/0212440 A1	11/13/2003	Boveja, Birinder R.	07/16/2002
US-2004/0093035 A1	05/13/2004	Schwartz, Mark , et al.	11/08/2002
US-2004/0102908 A1	05/27/2004	Larson, D. E., et al.	11/27/2002
US-2004/0116820 A1	06/17/2004	Daum, D. R., et al.	12/13/2002
US-2004/0133247 A1	07/08/2004	Stahmann, J. E., et al.	09/23/2003
US-2004/0158295 A1	08/12/2004	Dyjach, J. A., et al.	12/04/2003
US-2004/0230241 A1	11/18/2004	Carlson, G. M., et al.	12/12/2003
US-4,114,627	09/19/1978	Lewyn, L. L., et al.	12/14/1976
US-4,777,960	10/18/1988	Berger, R. D., et al.	08/18/1986
US-4,791,931	12/20/1988	Slate, John B.	08/13/1987
US-4,872,459	10/10/1989	Pless, Benjamin D., et al.	05/27/1988
US-4,880,005	11/14/1989	Pless, Benjamin D., et al.	05/23/1988

EXAMINER

DATE CONSIDERED

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		<i>Complete if Known</i>	
		<b>Application Number</b>	10/669,170
		<b>Filing Date</b>	September 23, 2003
		<b>First Named Inventor</b>	KenKnight, Bruce
		<b>Group Art Unit</b>	3737
		<b>Examiner Name</b>	Unknown
Sheet 3 of 7		Attorney Docket No: 279.565US1	

US-4,945,909	08/07/1990	Fearnott, N. E., et al.	06/06/1989
US-5,014,698	05/14/1991	Cohen, T. J.	10/02/1989
US-5,063,927	11/12/1991	Webb, S. C., et al.	02/16/1989
US-5,111,815	05/12/1992	Mower, Morton M.	10/15/1990
US-5,183,040	02/02/1993	Nappholz, T. A., et al.	03/08/1991
US-5,190,035	03/02/1993	Salo, R. W., et al.	04/17/1986
US-5,197,467	03/30/1993	Steinhaus, B. M., et al.	06/22/1992
US-5,199,428	04/06/1993	Obel, Israel W., et al.	03/22/1991
US-5,201,808	04/13/1993	Steinhaus, B. M., et al.	02/10/1992
US-5,203,326	04/20/1993	Collins, Kenneth A.	12/18/1991
US-5,222,493	06/29/1993	Sholder, J. A.	10/01/1990
US-5,243,980	09/14/1993	Mehra, Rahul	06/30/1992
US-5,269,301	12/14/1993	Cohen, T. J.	10/19/1992
US-5,271,395	12/21/1993	Wahlstrand, John D., et al.	04/17/1992
US-5,273,034	12/28/1993	Nilsson, K.	04/22/1992
US-5,291,400	03/01/1994	Gilham, J. J.	04/09/1992
US-5,300,093	04/05/1994	Koestner, Ken , et al.	09/14/1992
US-5,303,702	04/19/1994	Bonnet, J-L , et al.	12/23/1991
US-5,318,592	06/07/1994	Schaldach, Max	09/14/1992
US-5,318,597	06/07/1994	Hauck, J. A., et al.	03/15/1993
US-5,324,310	06/28/1994	Greeninger, D. R., et al.	07/01/1992
US-5,330,507	07/19/1994	Schwartz, Peter J.	04/24/1992
US-5,331,966	07/26/1994	Bennett, T. D., et al.	12/16/1993
US-5,341,811	08/30/1994	Cano, G. G.	03/26/1991
US-5,356,425	10/18/1994	Bardy, Gust , et al.	06/24/1993
US-5,360,436	11/01/1994	Alt, E. , et al.	04/03/1992
US-5,391,190	02/21/1995	Pederson, B. D., et al.	04/07/1992
US-5,411,531	05/02/1995	Hill, Michael R., et al.	09/23/1993
US-5,423,870	06/13/1995	Olive, , et al.	11/22/1993
US-5,431,687	07/11/1995	Kroll, Mark W.	04/09/1993
US-5,431,693	07/11/1995	Schroeppel, E. A.	12/10/1993
US-5,437,285	08/01/1995	Verrier, Richard L., et al.	11/30/1993
US-5,441,524	08/15/1995	Rueter, , et al.	08/30/1993
US-5,443,485	08/22/1995	Housworth, C. M., et al.	09/08/1993
US-5,466,245	11/14/1995	Spinelli, J. C., et al.	11/15/1994
US-5,480,412	01/02/1996	Mouchawar, G. , et al.	11/16/1993
US-5,507,784	04/16/1996	Hill, M. R., et al.	04/06/1995
US-5,507,785	04/16/1996	Deno, Don C.	12/21/1994
US-5,522,854	06/04/1996	Ideker, Raymond E., et al.	05/19/1994
US-5,531,772	07/02/1996	Prutchi, David	11/18/1994
US-5,560,370	10/01/1996	Verrier, R. L., et al.	05/26/1995
US-5,562,711	10/08/1996	Yerich, C. , et al.	11/30/1994
US-5,562,712	10/08/1996	Steinhaus, , et al.	11/25/1994

EXAMINER

DATE CONSIDERED

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		<i>Complete if Known</i>	
		<b>Application Number</b>	10/669,170
		<b>Filing Date</b>	September 23, 2003
		<b>First Named Inventor</b>	KenKnight, Bruce
		<b>Group Art Unit</b>	3737
		<b>Examiner Name</b>	Unknown
Sheet 4 of 7		Attorney Docket No: 279.565US1	

US-5,571,144	11/05/1996	Schroeppe, E. A.	12/18/1995
US-5,578,061	11/26/1996	Stroetmann, Brigitte , et al.	10/03/1995
US-5,601,615	02/11/1997	Markowitz, , et al.	08/16/1994
US-5,603,331	02/18/1997	Heemels, J. P., et al.	02/12/1996
US-5,626,622	05/06/1997	Cooper, D.	09/21/1994
US-5,626,624	05/06/1997	Schaldach, Max , et al.	09/16/1993
US-5,645,570	07/08/1997	Corbucci, G	06/17/1994
US-5,658,318	08/19/1997	Stroetmann, Brigitte , et al.	09/28/1995
US-5,682,901	11/04/1997	Kamen, P. W.	08/03/1994
US-5,685,316	11/11/1997	Schookin, Sergei I., et al.	04/08/1996
US-5,690,681	11/25/1997	Geddes, Leslie A., et al.	03/29/1996
US-5,700,282	12/23/1997	Zabara, Jacob	10/13/1995
US-5,700,283	12/23/1997	Salo, Rodney W.	11/25/1996
US-5,718,720	02/17/1998	Prutchi, D. , et al.	12/13/1996
US-5,722,997	03/03/1998	Nedungadi, A. P., et al.	09/17/1996
US-5,749,900	05/12/1998	Schroeppe, E. A., et al.	12/11/1995
US-5,755,671	05/26/1998	Albrecht, P. , et al.	10/05/1995
US-5,766,225	06/16/1998	Kramm, B.	06/28/1996
US-5,782,884	07/21/1998	Stotts, Lawrence J., et al.	11/05/1996
US-5,792,194	08/11/1998	Morra,	09/27/1996
US-5,817,135	10/06/1998	Cooper, D. , et al.	05/02/1997
US-5,817,136	10/06/1998	Nappholz, T. A., et al.	05/02/1997
US-5,824,020	10/20/1998	Cooper, D.	05/02/1997
US-5,824,029	10/20/1998	Weijand, K. J., et al.	04/28/1994
US-5,842,997	12/01/1998	Verrier, R. L., et al.	04/30/1997
US-5,843,136	12/01/1998	Zhu, O. , et al.	11/24/1997
US-5,861,012	01/19/1999	Stroebel,	10/18/1996
US-5,873,898	02/23/1999	Hemming, M. T., et al.	04/29/1997
US-5,891,044	04/06/1999	Golosarsky, Boris , et al.	01/10/1997
US-5,893,882	04/13/1999	Peterson, D. K., et al.	12/17/1996
US-5,916,239	06/29/1999	Geddes, Leslie A., et al.	11/24/1997
US-5,921,940	07/13/1999	Verrier, R. L., et al.	11/04/1997
US-5,935,081	08/10/1999	Kadhiresan, V. A.	01/20/1998
US-5,941,831	08/24/1999	Turcott, R.	04/03/1998
US-5,978,707	11/02/1999	Krig, D. B., et al.	10/08/1997
US-5,978,710	11/02/1999	Prutchi, D. , et al.	01/23/1998
US-5,987,356	11/16/1999	DeGroot, P. J.	08/12/1998
US-6,006,134	12/21/1999	Hill, Michael R., et al.	04/30/1998
US-6,021,351	02/01/2000	Kadhiresan, V. A., et al.	06/25/1999
US-6,022,322	02/08/2000	Prutchi, David	02/06/1998
US-6,026,320	02/15/2000	Carlson, G. M., et al.	06/08/1998
US-6,035,233	03/07/2000	Schroeppe, Edward A., et al.	01/09/1998
US-6,042,548	03/28/2000	Giuffre, K. A.	11/14/1997

EXAMINER

DATE CONSIDERED

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		<i>Complete if Known</i> <b>Application Number</b> 10/669,170 <b>Filing Date</b> September 23, 2003 <b>First Named Inventor</b> KenKnight, Bruce <b>Group Art Unit</b> 3737 <b>Examiner Name</b> Unknown	
Sheet 5 of 7		Attorney Docket No: 279.565US1	

US-6,044,294	03/28/2000	Mortazavi, S. , et al.	12/13/1996
US-6,058,331	05/02/2000	King, Gary W.	04/27/1998
US-6,073,048	06/06/2000	Kieval, Robert S., et al.	11/17/1995
US-6,076,015	06/13/2000	Hartley, Jesse W., et al.	02/27/1998
US-6,128,535	10/03/2000	Maarse, A.	12/05/1997
US-6,134,470	10/17/2000	Hartlaub, Jerome T.	11/09/1998
US-6,135,970	10/24/2000	Kadhiresan, V. A., et al.	12/07/1999
US-6,144,878	11/07/2000	Schroepel, E. A., et al.	01/05/1900
US-6,151,524	11/21/2000	Krig, David B., et al.	08/18/1999
US-6,161,042	12/12/2000	Hartley, J. W., et al.	05/21/1999
US-6,178,349	01/23/2001	Kieval, Robert S.	04/15/1999
US-6,181,966	01/30/2001	Nigam, Indra B.	12/28/1998
US-6,216,032	04/10/2001	Griffin, M. P., et al.	03/17/1999
US-6,224,553	05/01/2001	Nevo, E.	03/09/1998
US-6,240,314	05/29/2001	Plicchi, Gianni , et al.	04/26/1999
US-6,246,909	06/12/2001	Ekwall, C.	10/02/1997
US-6,269,263	07/31/2001	Ohnishi, N. , et al.	12/09/1999
US-6,272,377	08/07/2001	Sweeney, R. J., et al.	10/01/1999
US-6,273,856	08/14/2001	Sun, W. , et al.	10/19/1999
US-6,292,695	09/18/2001	Webster Jr., Wilton W., et al.	06/19/1999
US-6,301,499	10/09/2001	Carlson, G. M., et al.	10/18/1999
US-6,317,632	11/13/2001	Krig, D B., et al.	10/11/2000
US-6,358,201	03/19/2002	Childre, Doc L., et al.	03/02/1999
US-6,370,424	04/09/2002	Prutchi, David	12/14/1999
US-6,371,922	04/16/2002	Baumann, Lawrence S., et al.	04/07/2000
US-6,390,986	05/21/2002	Curcie, David J., et al.	01/31/2000
US-6,400,982	06/04/2002	Sweeney, R. J., et al.	05/07/2001
US-6,421,557	07/16/2002	Meyer, Wolfgang	06/29/2000
US-6,438,421	08/20/2002	Stahmann, J. E., et al.	12/26/2000
US-6,449,507	09/10/2002	Hill, Michael R., et al.	09/26/2000
US-6,453,201	09/17/2002	Daum, D. , et al.	12/28/1999
US-6,459,929	10/01/2002	Hopper, Donald , et al.	04/12/2000
US-6,463,326	10/08/2002	Hartley, J. W., et al.	01/20/2000
US-6,470,210	10/22/2002	Chen, Victor , et al.	04/06/2001
US-6,473,644	10/29/2002	Terry Jr., Reese S., et al.	10/13/1999
US-6,480,733	11/12/2002	Turcott, R.	12/17/1999
US-6,480,742	11/12/2002	Stahmann, Jeffrey E., et al.	12/26/2000
US-6,487,450	11/26/2002	Chen, Peng-Sheng , et al.	02/24/2000
US-6,493,585	12/10/2002	Plicchi, Gianni , et al.	05/10/2001
US-6,511,500	01/28/2003	Rahme, Marc M.	06/06/2000
US-6,522,914	02/18/2003	Huvelle, Etienne	07/14/2000
US-6,522,926	02/18/2003	Kieval, Robert S., et al.	09/27/2000
US-6,529,772	03/04/2003	Carlson, G. M., et al.	06/25/2001

EXAMINER

DATE CONSIDERED

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Use as many sheets as necessary)

Complete if Known

<b>Application Number</b>	10/669,170
<b>Filing Date</b>	September 23, 2003
<b>First Named Inventor</b>	KenKnight, Bruce
<b>Group Art Unit</b>	3737
<b>Examiner Name</b>	Unknown

Sheet 6 of 7

Attorney Docket No: 279.565US1

	US-6,532,388	03/11/2003	Hill, Michael R., et al.	09/26/2000
	US-6,542,774	04/01/2003	Hill, Michael R., et al.	07/02/2001
	US-6,564,096	05/13/2003	Mest, Robert A.	02/28/2001
	US-6,571,121	05/27/2003	Schroeppel, Edward A., et al.	10/15/2001
	US-6,571,122	05/27/2003	Schroeppel, Edward A., et al.	10/15/2001
	US-6,611,713	08/26/2003	Schauerte, Patrick	11/30/2000
	US-6,622,041	09/16/2003	Terry Jr., Reese S., et al.	08/21/2001
	US-6,628,987	09/30/2003	Hill, Michael R., et al.	09/26/2000
	US-6,647,289	11/11/2003	Prutchi, D.	12/06/2001
	US-6,690,971	02/10/2004	Schauerte, P., et al.	11/30/2000
	US-6,824,538	11/30/2004	Chen, P.-S.	11/25/2002
	US-6,850,801	02/01/2005	Kieval, R. S., et al.	09/26/2001
	US-6,856,829	02/15/2005	Ohsaki, R. , et al.	08/24/2001

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T <sup>2</sup>
	EP-0555988A2	08/18/1993	Steinhaus, Bruce M., et al.	
	EP-0709058A1	01/05/1996	Alessandri, N.	
	EP-0709112A2	05/01/1996	Ayers, G. M., et al.	
	WO-94/06350A1	03/31/1994	Verrier, R. L., et al.	
	WO-98/15319A1	04/16/1998	Ekwall, C.	
	WO-00/04950A2	02/03/2000	Alt, E. , et al.	
	WO-00/38782A1	07/06/2000	Igel, D. A., et al.	
	WO-00/44274A2	08/03/2000	Pougatchev, V. I., et al.	
	WO-00/51680A1	09/08/2000	Padmanabhan, V. , et al.	

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		"Heart Rate Variability: Standards of Measurement, Physiological Interpretation, and Clinical Use", <u>European Heart Journal</u> , 17, Prepared by the Task Force of The European Society of Cardiology and The North American Society of Pacing and Electrophysiology; published by the American Heart Association, Inc.; European Society of Cardiology,(1996),pp. 354 - 381	
		"International Search Report for corresponding PCT Application No. PCT/US2004/031062", (Attorney Docket No. 279.565WO1),(February 17, 2005),5 pgs.	
		BEHRENS, S., "Effects of Amiodarone on the Circadian Pattern of Sudden Cardiac Death (Department of Vererans Affairs Congestive Heart Failure-Survival Trial of Antiarrhythmic Therapy)", <u>Am. J. Cardiol.</u> , 80(1), (July 1997),45-48	

EXAMINER

DATE CONSIDERED

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		<i>Complete if Known</i>	
		<b>Application Number</b>	10/669,170
		<b>Filing Date</b>	September 23, 2003
		<b>First Named Inventor</b>	KenKnight, Bruce
		<b>Group Art Unit</b>	3737
		<b>Examiner Name</b>	Unknown
Sheet 7 of 7		Attorney Docket No: 279.565US1	

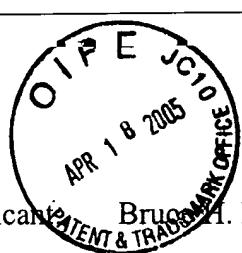
**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BEHRENS, S., "Modification of the Circadian Pattern of Ventricular Tachyarrhythmias by Beta-Blocker Therapy", <u>Clin. Cardiol.</u> , 20(3), (March 1997),253-257	
		BERGER, R. D., "An Efficient Algorithm for Spectral Analysis of Heart Rate Variability", <u>IEEE Transactions on Biomedical Engineering, BME-33</u> (9), (September 1986),900-904	
		BIGGER, J. T., "Correlations Among Time and Frequency Domain Measures of Heart Period Variability Two Weeks After Acute Myocardial Infarction", <u>Arrhythmias and Conduction Disturbances</u> , 69, (April 1, 1992),891-898	
		BIGGER, JR., J. T., "Spectral Analysis of R-R Variability to Evaluate Autonomic Physiology and Pharmacology and to Predict Cardiovascular Outcomes in Humans", <u>Am. J. Cardiol.</u> , 69(9), (April 1, 1992),891-898	
		LIBBUS, I., "COMBINED REMODELING CONTROL THERAPY AND ANTI-REMODELING THERAPY BY IMPLANTABLE CARDIAC DEVICE", <u>Patent Application Ser. No. 10/850,341</u> , filed May 20, 2004 (Attorney Docket No. 279.756US1), 25 pgs.	
		NO AUTHORS LISTED, "Heart rate variability: standards of measurement, physiological interpretation and clinical use. Task Force of the European Society of Cardiology and the North American Society of Pacing and Electrophysiology", <u>Circulation</u> , 93(5), (March 1, 1996),1043-1065	
		SCHEINER, A., et al., "SYSTEM AND METHOD FOR MONITORING AUTONOMIC BALANCE AND PHYSICAL ACTIVITY", <u>Patent Application Ser. No. 10/695,430</u> , filed October 28, 2003 (Attorney Docket No. 279.656US1), 20 pgs.	

---

EXAMINER

DATE CONSIDERED



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: **Brugge, H. KenKnight et al.**

Title: **DEMAND-BASED CARDIAC FUNCTION THERAPY**

Docket No.: **279.565US1**

Serial No.: **10/669,170**

Filed: **September 23, 2003**

Due Date: **N/A**

Examiner: **Unknown**

Group Art Unit: **3737**

**MS Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.
- A Communication Concerning Related Application (1 pg.).
- An Information Disclosure Statement (2 pgs.), Form 1449 (7 pgs.), and copies of 19 cited documents, including the International Search Report for corresponding PCT Application No. PCT/US2004/031062.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

By:   
Atty: Timothy E. Bianchi  
Reg. No. 39,610

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15<sup>th</sup> day of April, 2005.

James Kausik  
Name

James Kausik  
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
(GENERAL)



S/N 10/669,170

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruce H. KenKnight et al. Examiner: Unknown  
Serial No.: 10/669,170 Group Art Unit: 3737  
Filed: September 23, 2003 Docket: 279.565US1  
Title: DEMAND-BASED CARDIAC FUNCTION THERAPY

---

COMMUNICATION CONCERNING RELATED APPLICATIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
10/436,876	May 12, 2003	279.564US1	STATISTICAL METHOD FOR ASSESSING AUTONOMIC BALANCE
10/669,168 2004/0133147 A1	September 23, 2003	279.566US1	METHOD FOR ISCHMIA DETECTION BY IMPLANTABLE CARDIAC DEVICE
10/695,430	October 28, 2003	279.656US1	SYSTEM AND METHOD FOR MONITORING AUTONOMIC BALANCE AND PHYSICAL ACTIVITY
10/728,124 2004/0158295 A1	December 4, 2003	279.682US1	METHOD FOR EXCLUSION OF ECTOPIC EVENTS FROM HEART RATE VARIABILITY METRICS

10/850,341      May 20,      279.756US1  
                    2004

COMBINED REMODELING CONTROL  
THERAPY AND ANTI-REMODELING  
THERAPY BY IMPLANTABLE  
CARDIAC DEVICE

Continuations and divisionals may be later filed on the cases listed above, or cited to the Examiner in any previous Communication Concerning Related Applications. Applicant requests that the Examiner review all continuations and divisionals of the above-listed or previously-cited patent applications before allowing the claims of the present patent application.

Respectfully submitted,

BRUCE H. KENKNIGHT ET AL.

By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6912

Date April 15, 2005 By T.E. Bianchi  
Timothy E. Bianchi  
Reg. No. 39,610

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15<sup>th</sup> day of April, 2005.

JAMES KANYSIK  
Name

James Kanysik  
Signature